

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FLOYD VICTOR JOHNSON,

Defendant.

**8:13CR60**

**ORDER**

Defendant Floyd Victor Johnson appeared before the court on April 16, 2018, on an Amended Second Petition for Offender Under Supervision [79]. The defendant was represented by Assistant Federal Public Defender Richard H. McWilliams, and the United States was represented by Assistant U.S. Attorney Russell X. Mayer. Through his counsel, the defendant waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). The government moved for detention. A detention hearing was held on April 16, 2018. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Senior Judge Kopf.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Senior Judge Kopf in Courtroom No. 1, Fourth Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on May 25, 2018 at 10:30 a.m. The defendant must be present in person.

2. The defendant, Floyd Victor Johnson, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 17th day of April, 2018.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge